



United States Representative

2010 Candidate Qualification Packet



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INTRODUCTION

The Secretary of State has prepared this summary to outline United States Representative candidate qualification requirements.

This document provides a general overview of candidate qualifications and should be used as a reference guide only. Always refer to the Colorado Constitution and Colorado Revised Statutes for applicable laws.

SUMMARY OF GENERAL REQUIREMENTS

TERM OF OFFICE: 2 yrs.

MINIMUM AGE REQUIREMENT: 25 yrs.

RESIDENCY REQUIREMENT: Inhabitant of the State When Elected

CITIZENSHIP: U.S. Citizen for 7 Years

United States Constitution, Article 1, Section 2

ACCESS TO BALLOT:

Party Designation, Petition, Write-in

MAJOR PARTY DESIGNATION**ASSEMBLY PROCESS:**

Candidates for United States Representative may be designated during the party district assembly. No assembly can be held later than seventy (70) days before the primary election. Potential candidates should contact the major political party of their choice to determine the exact date and time of that specific assembly. The political party will be able to answer questions regarding party protocol for announcements, party campaign rules, and other matters of a political party nature. [Section 1-4-601(1), C.R.S.]

During the assembly, only duly accredited assembly delegates that are present may vote for candidates. A candidate needs at least thirty percent (30%) of the votes cast of all duly accredited assembly delegates to be placed on the primary election ballot. [Section 1-4-601(2), C.R.S.]

Should no candidate receive thirty percent (30%) or more of the votes cast, a second ballot must be cast. If on the second ballot, no candidate receives thirty percent (30%) or more of the votes cast, the two (2) candidates receiving the highest number of votes will be certified as candidates for that office by the assembly. [Section 1-4-601(2), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

The original or facsimile copy of the certificate of designation must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. If the designation is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the adjournment of the assembly. However, late filing of the certificate of designation will not deprive

candidates of their candidacy. [Sections 1-4-604(3), (5), C.R.S.]

The original or facsimile copy of the candidate acceptance form must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. If the acceptance is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the adjournment of the assembly. If the acceptance form is not filed within the specified time, the candidate will be deemed to have declined the nomination. [Section 1-4-601(3)(a), C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-601(3)(a) & 1-5-407(4), C.R.S.]

Party designation and candidate acceptance forms are provided by the political party at each assembly.

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than ten (10) days after the adjournment of the assembly. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.1]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MINOR PARTY DESIGNATION**ASSEMBLY PROCESS:**

Candidates for United States Representative may be designated by assembly for the general election. No assembly can be held later than sixty-five (65) days before the primary election. Potential candidates should contact the minor political party of their choice to determine the exact date and time of that specific assembly. The political party will be able to answer questions regarding party protocol for announcements, party campaign rules, and other matters of a political party nature. [Section 1-4-1304(1.5)(b)(I), C.R.S.]

During the assembly, only duly accredited assembly delegates that are present may vote for candidates. A candidate needs at least thirty percent (30%) of the votes cast of all duly accredited assembly delegates present and voting on that specific office. [Section 1-4-1304(1.5)(b)(II), C.R.S.]

If the assembly designates more than one (1) candidate for an office or if the assembly designates one (1) or more candidates and one (1) or more candidates qualifies by petition, the candidate will be nominated at the primary election. If only one (1) candidate is designated for an office by petition or assembly, the candidate will be the candidate of the minor political party in the general election. [Sections 1-4-1304(1.5)(c), (d), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

The certificate of designation must be filed with the Secretary of State no later than four (4) days after the adjournment of the assembly. [Section 1-4-1304(3), C.R.S.]

The original or facsimile copy of the candidate acceptance form must be postmarked or received by the Secretary of State no later than four (4) business days after the certificate of

designation was filed. If the acceptance form is transmitted as a facsimile, the original must also be filed and postmarked no later than ten (10) days after the certificate of designation was filed. If the acceptance form is not filed within the specified time, the candidate will be deemed to have declined the nomination. [Section 1-4-1304(4), C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Section 1-5-407(4), C.R.S.]

Party designation and candidate acceptance forms are provided by the political party at each assembly.

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than ten (10) days after the certificate of designation was filed. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.1]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MAJOR PARTY CANDIDATE PETITION**ELIGIBILITY:**

A candidate that failed to receive ten percent (10%) of the votes cast for a particular office at the party assembly is not eligible to run by petition on behalf of the same political party and office. [Section 1-4-801(4), C.R.S.]

PETITION PROCESS:

Party petitions cannot be circulated nor signatures obtained any time prior to the last Monday in March. [Section 1-4-801(5), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one candidate's name for the same office. Once submitted, the Secretary of State will approve or disapprove each petition format no later than two (2) days following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

Only eligible electors in the district or political subdivision may sign the petition for which the candidate is to be elected. Each signer of the petition must be affiliated with the political party named in the petition for at least twenty-nine (29) days prior to signing the petition, as shown by the registration books of the county clerk and recorder. [Sections 1-4-904(2)(a) & 1-4-801(2)(b), C.R.S.]

The petition must contain the lesser of one thousand (1,000) signatures or signatures equal to thirty percent (30%) of the votes cast at the last primary election for the same office, district, and political party for which the petition is being circulated. [Section 1-4-801(2)(b), C.R.S.]

If no primary election was held, the number of required signatures is calculated by identifying thirty percent (30%) of the votes cast at the last preceding general election for which there was a candidate for that office. [Section 1-4-801(2)(b), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, at least eighteen (18) years of age, and registered to vote and affiliated with the political party mentioned in the petition at the time the petition is circulated, as shown by

the registration books of the county clerk and recorder. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than seventy-five (75) days before the primary election. [Section 1-4-801(5), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than seventy-five (75) days before the primary election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

MINOR PARTY CANDIDATE PETITION**PETITION PROCESS:**

The petition cannot be circulated nor signatures obtained any time prior to the last Monday in March. [Section 1-4-802(1)(d)(II), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one candidate's name for the same office. Once submitted, the Secretary of State will approve or disapprove each petition format no later than two (2) days following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

Only eligible electors in the district or political subdivision may sign the petition for which the candidate is to be elected. Each petition may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office. [Sections 1-4-802(1)(c) & 1-4-904(1), 2(b), C.R.S.]

The petition must contain the lesser of eight hundred (800) signatures or signatures equal to two percent (2%) of the votes cast in the congressional district in the most recent general election. [Section 1-4-802(1)(c)(III), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, at least eighteen (18) years of age, and registered to vote and affiliated with the minor political party mentioned in the petition at the time the petition is circulated, as shown by the registration books of the county clerk and recorder. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than seventy-five (75) days before the primary election. [Section 1-4-802(1)(f)(II), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than seventy-five (75) days before the primary election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

**UNAFFILIATED CANDIDATE PETITION
(GENERAL ELECTION ONLY)****PETITION PROCESS:**

The petition cannot be circulated nor signatures obtained any time prior to one hundred eighty-six (186) days before the general election. [Section 1-4-802(1)(d)(I), C.R.S.]

All petition formats must be approved by the Secretary of State prior to circulation and may only contain one candidate's name for the same office. Once submitted, the Secretary of State will approve or disapprove each petition format no later than two (2) days following the submission. [Sections 1-4-903 & 1-4-901, C.R.S.]

The petition must contain the name and address of the candidate and must designate in not more than three (3) words the political or other name which the signer selects. No name of any political party can be used, in whole or in part, for this purpose. [Section 1-4-802(1)(a), C.R.S.]

The petition must contain one (1) or more unaffiliated registered electors designated as a committee to fill vacancies. [Section 1-4-802(1)(e), C.R.S.]

Only eligible electors within the district or political subdivision may sign the petition for which the officer is to be elected. Each petition may be signed by any eligible elector who has not signed any other petition for any other candidate for the same office. [Sections 1-4-802(1)(c) & 1-4-904(1), 2(b), C.R.S.]

The petition must contain the lesser of eight hundred (800) signatures or signatures equal to two percent (2%) of the votes cast in the congressional district in the most recent general election. [Section 1-4-802(1)(c)(III), C.R.S.]

In order to be eligible to circulate a petition, a person must be a resident of the state, a citizen of the United States, and at least eighteen (18) years of age. [Section 1-4-905(1), C.R.S.]

FILING WITH THE SECRETARY OF STATE:

Petitions must be filed with the Secretary of State no later than 3 p.m. on the one hundred fortieth (140th) day before the general election. [Section 1-4-802(1)(f)(I), C.R.S.]

Before a nomination petition may be filed, it must have a notarized candidate acceptance of nomination form attached to it. [Section 1-4-906, C.R.S.]

The candidate acceptance form must state the candidate's name the way it will appear on the ballot. Candidate names cannot contain any title or degree designating the business or profession of the candidate. [Sections 1-4-906 & 1-5-407(4), C.R.S.]

Petition signatures will be verified by the Secretary of State and if found to be sufficient in number will be deemed valid unless a protest is made in writing within five (5) days after the statement of sufficiency is issued. [Sections 1-4-908 & 1-4-909(1), C.R.S.]

CANDIDATE AUDIO RECORDING:

Candidates are required to submit an audio recording of the pronunciation of their name to the Secretary of State no later than one hundred-forty (140) days before the general election. The audio recording must state the candidate's name exactly as it appears on the candidate acceptance form, as this is how the candidate's name will appear on the ballot. [SOS Election Rule 10.4.2]

Instructions on how to complete the candidate audio recording will be provided in the candidate packet and on the Secretary of State's website.

WRITE-IN

Any person who wishes to be a write-in candidate must file an affidavit of intent with the Secretary of State. The affidavit must be filed no later than the close of business on the sixty-seventh (67th) day before the primary election or by the close of business on the seventieth (70th) day before the general election. [Sections 1-4-1101(1) & 1-4-1102(1), C.R.S.]

GENERAL INFORMATION

Every candidate interested in running for United States Representative should contact the Federal Election Commission for campaign finance information and other requirements not addressed at the state level. The contact information is:

Federal Election Commission
999 E Street, NW
Washington, DC 20463
1-800-424-9530
Web site: www.fec.gov

VOLUNTARY TERM LIMITS DECLARATION:

Candidates for United States Representative may submit a Voluntary Term Limits Declaration to the Secretary of State no later than fifteen (15) days prior to ballot certification. This form is provided in the candidate packet and on the Secretary of State's website, but is not required in order for a candidate's name to be placed on the ballot. [Colorado Constitution, Article XVIII, Section 12a]